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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/858,157	05/14/2001	Craig A. Yates	156925-0003	9167

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IRELL & MANELLA LLP
1800 AVENUE OF THE STARS
SUITE 900
LOS ANGELES, CA 90067

EXAMINER

ENATSKY, AARON L

ART UNIT

PAPER NUMBER

3713

DATE MAILED: 01/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/858,157

Applicant(s)

YATES ET AL.

Examiner

Aaron L Enatsky

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 11.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

Response to Amendment

1. Examiner acknowledges receipt of amendment on 11/7/02. The arguments set forth in the response are addressed herein below.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 13-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. While applicant may be his or her own lexicographer, a term in a claim may not be given a meaning repugnant to the usual meaning of that term. See *In re Hill*, 161 F.2d 367, 73 USPQ 482 (CCPA 1947). The term "off-line" in claim 13 is used by the claim to mean "a record that was inaccessible," while the accepted meaning is "2 or more devices were not able to establish a communication link". Applicant's usage of off-line does not denote that the 2 machines were unable to establish communications. Applicant teaches that a game terminal attempts to communicate with a server to request information on a voucher record. The communication is successful, which does not show the machines are off-line. The error message is generated in response to the failed attempt to access a voucher record. The claim makes no requirement for a communication breakdown between remote devices. The off-line message will be treated and referred to as an unavailable record message.

Claim 34 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as

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the invention. Applicant requires that accumulated credit is an arbitrary amount. The term arbitrary maybe better stated as "amounts of accumulated gaming machine credit". Arbitrary defines an indefinite amount of earned credit. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schneier et al. 5,871,398 (Hereafter, Schneier). Schneier discloses a wireless ticket device used for off-line and on-line gaming in a network gaming system having payment and game outcome validations (Col. 5-6). A centralized computer system communicates with remote handheld devices (HTVs) and/or agent terminals over a telecommunication network using terrestrial or wireless connections comprising the network gaming system, wherein authentication messages containing gaming and payment authorizations are transmitted between the computing devices comprising the network gaming system (Col. 7). Authentication messages are made of Authenticatable Game Authorization Messages (AGAM) and Authenticatable Redemption Request Messages (ARRM). The message contents of the AGAM and the ARRM hold game purchase/validation information, account balance information, cash out information, as well as various player related tracking information. HTVs are known to comprise personal computing devices such as a personal computers and a handheld personal digital assistant (23:10-20). The central management computers along with the HTVs contain databases that allow data storage especially related to

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player balances and outcomes/game authorizations (11:23-50) and furthermore allow easy player cash out routines (16:26-60). Alternatively voucher/game/validation information can be printed in place of or used in conjunction with wirelessly transmitting the information (13:60 – 14:8). Schneier also teaches placing a time stamp in a validation message (9:20-22) and a player data input system comprising a touch screen display (12:8-9). Schneier does not expressly disclose providing a disapproval indication depending on account status or an unavailable record error message. However, Schneier does teach providing an approval message for a voucher payout request (19:9-21), which is analogous to notifying a system user of status from a request to a central server and also teaches providing a notification that a player is out of funds (20:40-44), which is also analogous to notification of a disapproved voucher request. Through Schneier's notification, one would be motivated to modify Schneier to include the disapproval message and error-message so that a game participant or game administrator would know why a payout approval was not granted. Not having a message indicating request status could lead a participant or game administrator wondering if the payout request transaction was cancelled for another reason or lost in transit. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schneier to use a disapproval and error message along with an approval message to allow a game participant or game administrator know the status of a payout request.

Response to Arguments

4. Applicant's arguments filed 11/7/02 have been fully considered but they are not persuasive. For consideration against the rejection of claims 1-34 as being taught by Schneier, applicant submits that the prior art does not disclose each and every feature claimed. Applicant

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argues that Schneier lacks receiving voucher identification information at a wireless portable computer device corresponding to a payout voucher, receiving a voucher validation request through data input interface, automatically transmitting voucher identification to central computer when a voucher is dispensed, and the ARRM or AGAM is different than Applicant's vouchers. In regard to receiving voucher identification corresponding to a payout voucher from an electronic gaming machine and receiving voucher validation requests through data input, Schneier teaches receiving voucher data input through various methods (13:41-67) and subsequently transmits that data to a central server wirelessly (16:57-60). The AGAM and ARRM are vouchers that represent purchased outcomes/authorizations (7:52-55), which is also taught as a payoff (6:7-9), which is no different than Applicant's voucher information. In regard to automatically transmitting and storing voucher information in a central computer, Schneier teaches that for audit purposes the CMC will store all transactional data in a record for payout purposes (9:61-67). As a player does not initiate voucher storage from an AT or and HTV, where vouchers are distributed, the transmission and storage of the voucher records would be automatic.

Citation of Pertinent Prior Art

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Acres '125 teaches two remote, but network connected machines in a gaming environment communicating off-line messages as a status indicator.

Rowe '907 teaches cashless voucher system in a casino environment.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron L Enatsky whose telephone number is 703-305-3525. The examiner can normally be reached on 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on 703-308-4119. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9302 for regular communications and 703-872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

Aaron Enatsky

January 14, 2003

A handwritten signature in black ink, appearing to be 'A. Enatsky', with a large, stylized initial 'A' and 'E'.